

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

APRIL 19, 2010

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

Present:

Chairman Harold Sanger
Craig S. Owens, City Manager
Jim Liberman
Marc Lopata
Ron Reim

Absent:

Steve Lichtenfeld, Aldermanic Representative
Scott Wilson

Also Present:

Jason Jaggi, Acting Director of Planning & Development Services
Kevin O'Keefe, City Attorney

Chairman Sanger welcomed everyone to the meeting. He asked that all cell phone ringers be turned off or muted and that conversations take place outside the room so as not to disrupt the meeting.

MINUTES

The minutes of the April 5, 2010 meeting were presented for approval. The minutes were approved, after having been previously distributed to each member.

CONDITIONAL USE PERMIT/SITE PLAN REVIEW/ARCHITECTURAL REVIEW – WASHINGTON UNIVERSITY – CONSTRUCTION OF PARKING DECK, INCREASE IN STUDENT POPULATION TO 3,300 AND DECREASE IN PARKING - SOUTH 40 CAMPUS

Dick Kirschner, project architect, was in attendance at the meeting. Also in attendance were Art Ackerman and Cheryl Adelstein of Washington University.

Jason Jaggi provided a summary of Washington University's request, noting that they are asking to increase their South 40 student population from 3,000 to 3,300, to reduce the number

of available parking on the South 40 campus to 1,013 from the 1,100 required per the City's Zoning Regulations, to construct a 95 space parking deck above an existing 99 space surface parking lot at the southeast corner of the South 40 and the placement of this deck within the required front yard setback along Wydown Boulevard. Jason noted that there is an error on Page 3 of staff's memorandum in that the existing parking structure is located approximately 19 feet, not 26 feet, from the south property line.

Mr. Ackerman began a PowerPoint presentation. He asked that they be permitted to increase their South 40 student population by 10% (to 3,300). A slide depicting an aerial view of the South 40 campus as it appeared in 1995 was presented. He noted that during that year (1995), they were allowed to increase their student population to 3,000 from 2,350. He stated that their undergrad population has seen a modest growth since then of about 24%. A brief synopsis of each of the multiple phases of Washington University's Master Plan that has been implemented since 1995 was provided. Mr. Ackerman noted that they will be finished with Phase 6 over the summer. He stated that they want to continue to replace the 1960's buildings.

A slide depicting an aerial view of the South 40 campus as it appears today was shown. Mr. Ackerman noted that Washington University has gone from 20th to 11th or 12th best universities in the U.S. and that the number of students applying to Washington University has increased dramatically (they receive approximately 25,000 applications to fill 1,500 slots) and that one reason is the high quality housing provided by Washington University. He stated that Washington University has added \$2 billion to the local economy and generates over half a billion dollars in research funding. He noted that half of the University's staff reside in Clayton and that they are proud to be a part of the Clayton community. He noted that they have 14 LEED buildings and have reduced their energy footprint to 1990 levels. He indicated that zoning would allow up to 33% density on the site and they are currently at 21% density. He stated that this Fall, they will only be occupying 3,000 of the 3,300 beds but they hope to be at the 3,300 student capacity by the fall of 2011. He stated that Mackey Mitchell recommends a density of up to 25%.

Slides depicting various views of the South 40 campus as it exists today were presented. Mr. Ackerman commented that they believe 3,300 is the right density for the South 40 and represents the University's ultimate build-out. He stated that this brings the question of what is the level of parking needed to support those 3,300 students. He noted that the City's zoning regulations require 1 space for every 3 beds which would equal 1,100 beds required for the South 40. He referred to the HDR Parking Study (copy previously provided to each member), noting that weekdays at 11 a.m. is the time/days when the spaces are most occupied at 657 spaces, 112 of which being used at the time by construction vehicles (leaving 136 un-occupied). (Note that there are currently 905 spaces on the South 40 Campus). He stated that the study indicates that with a 300 student/bed increase, it is anticipated an increase to 723 spaces being utilized. He stated that 85% of the spaces are utilized on weekdays and 45% on weekends. He commented that over the next 5 – 10 years, the number of students living on the South 40 will be between 3,000 and 3,300, but their ultimate goal is 3,300. He advised the members that freshmen cannot bring vehicles to campus, that the number of issued parking permits has decreased from 658 to 353, that MetroLink and bus passes are provided (over 8,000 passes currently issued) and that a number of students use bicycles (the Study reveals that over 400 bicycles were spotted on

campus). He indicated that a parking pass to park on the South 40 costs \$436/year versus the \$15/year for a North Campus parking pass. He advised the members that St. Louis County dropped the parking requirement for their main campus by 10%. He asked that the University be allowed to maintain their 905 parking spaces, but indicated their willingness to increase that number by 108 spaces for a total of 1,013 if required to do so, although they do not believe it is necessary.

A slide depicting the site plan with the proposed parking deck was presented. Mr. Ackerman noted that the upper deck (95 spaces) would be accessed exclusively from Wydown Boulevard and the lower level (99 spaces) accessed from Wallace Drive (campus interior) and that the parking deck would have little visual impact.

Chairman Sanger solicited comments/questions from the members. He asked that the primary focus at this time be on the bed count and parking issues.

Jim Liberman asked the percentage of the beds on the South 40 that are for freshmen.

Mr. Ackerman indicated that about half of the South 40 student population is freshmen. He reminded the members that freshmen are not allowed to bring vehicles to campus.

Marc Lopata asked Mr. Ackerman if Washington University needs to increase their parking at all.

Mr. Ackerman replied “no”. He stated that even with the 300 student increase, they would still have 182 empty (unused) spaces.

Marc Lopata stated that then the garage would not need to be built.

Mr. Ackerman concurred.

Marc Lopata asked if the lot is now used by the church.

Mr. Ackerman indicated that the church uses it as does construction workers.

Ron Reim asked about parking during special/peak events. He has if during those times the parking spaces are utilized.

Ms. Adelstein (Director of Community Relations) informed the members that those who park on the South 40 have to have a parking permit and that parking patrol is conducted 24/7 (controlled parking).

Mr. Ackerman indicated that on move-in/move-out days, motorists are encouraged to park under the Danforth building.

Chairman Sanger asked for confirmation that they will only be occupying 3,000 beds this fall.

Mr. Ackerman confirmed.

Chairman Sanger asked when they anticipate 3,300 beds to be occupied.

Mr. Ackerman indicated that some of those extra 300 beds will be occupied by the fall of 2011 although how many, he is not sure. He stated that depends on the number of freshmen.

Chairman Sanger commented that he remembers back in the mid 1990s when Washington University presented their Master Plan it was noted that 3,000 beds would be all that was needed and now, even though all the phases of the Master Plan are not completed, they are asking for an increase to 3,300. He asked if Washington University is prepared to now make a commitment, on record, that 3,300 students will be the maximum.

Mr. Ackerman's response was that he is prepared to commit to the 3,300 students for as long as the 3,000 student number was in effect (15 years). He stated that he will commit to that number for the existing footprint. He reminded the members that in 15 years, they are only asking for a 10% increase in student population (from 3,000 to 3,300).

Chairman Sanger asked how long the existing footprint will remain.

Mr. Ackerman indicated that he believes they are at full capacity on the South 40 and that additional capacity would take place elsewhere (other than the South 40).

Chairman Sanger commented that when the approved Master Plan is completed, they will be at the 3,300 student capacity and Washington University has no intention of adding more beds unless there is a change in the number of buildings on the South 40, which would have to be approved by the Board of Aldermen.

Marc Lopata asked if they can now discuss coverage and storm water issues.

Mr. Ackerman advised the members that BMPs (Best Management Practices) are in place and they meet the requirements.

Marc Lopata asked if the garage project would increase coverage.

Mr. Ackerman replied "no".

Marc Lopata stated that the report indicates that coverage would be increased.

Mr. Ackerman referred to the detention station already in place.

Craig Owens asked if enrollment will increase regardless of the number of beds.

Mr. Ackerman replied "probably".

Craig Owens asked where the students will go if this application is denied.

Mr. Ackerman indicated they will go to the main campus (Village).

Craig Owens asked if the other facilities are at their maximum capacity.

Mr. Ackerman indicated that there are 160 buildings on the north campus and that they have multiple building stock they could utilize.

Craig Owens asked if there is potential for growth elsewhere.

Mr. Ackerman replied “yes”. He indicated their desire to have freshmen live on campus.

Craig Owens asked the impact the number of students will have on the number of faculty.

Mr. Ackerman indicated that there would be a modest increase in faculty.

Chairman Sanger commented that there is always discussion of students parking on the residential streets.

Jason Jaggi indicated that he spoke with the Police Chief and that the number of students parking on the residential streets has not increased over the last few years.

Ms. Elisa Wong, resident of 44 Arundel and First Congregational Church officer, advised the members that Washington University generously allows the church to use that lot. She stated that the church has no objection to the construction of the parking deck, but sees no need for it.

Chairman Sanger asked Ms. Wong the number of vehicles parked on that lot during the day.

Ms. Wong indicated that on weekdays, there are about 7 – 8 vehicles (including church staff vehicles) utilizing the lot and on weekends, there are, on average, about 12 vehicles parked on the lot.

Chairman Sanger indicated that he would now solicit comments from the audience.

Tom Currier, 23 Wydown Terrace, referred to and read an e-mail message he had sent to the Plan Commission members earlier that day. He emphasized that while Washington University indicates 25% land coverage for the South 40 (zoned R-2); about half of the open space derives from the athletic fields along the northern boundary, which means coverage is approaching 50%, 10% shy of the maximum allowed for the R-7 District. He noted that the normal front yard setback for accessory structures is 60 feet, but that if the parking structure is approved, that it maintain the 37 foot setback of the First Congregational Church. He stated that he welcomes the University’s efforts to encourage students not to bring cars to campus and supports the amended parking formula to allow more students if the CUP requires the University

to decrease its bed count if parking becomes a problem in the future. He then thanked the Commission for hearing his comments.

Cindy Johnson, 6450 Ellenwood, indicated that they continue to have one to two students who park on Ellenwood per day. She questions why the parking permits are so much higher on the South 40 with all those extra spaces. She stated that the Ellenwood residents do see an overflow of parking on move in/move out days, graduation and other significant days and wonders why Washington University does not offer the South 40 parking on those days. She noted that the majority of Washington University staff who live in Clayton reside on properties that do not pay taxes.

Chairman Sanger asked if parking is restricted on Ellenwood.

Ms. Johnson stated that there is 1 hour parking on Ellenwood and those that exceed that time only get ticketed.

Ms. Adelstein stated that although she cannot state for sure who is parking on the street, but she guesses that those that do park on the street are not residents of South 40.

Chairman Sanger asked if the high cost of the parking permit for the South 40 is to discourage people from parking there.

Ms. Adelstein indicated that it is to discourage people from bringing cars to the South 40. She noted that staff has high parking rates as well.

Chairman Sanger asked Ms. Adelstein why people are not allowed to park on the South 40 campus on graduation, move in dates, etc.

Ms. Adelstein stated that she will find out, but that on graduation day, no one is living on the South 40. She stated that there are no campus parking restrictions on graduation day, but she would look into it.

Chairman Sanger asked Ms. Adelstein to submit her findings to City staff (Jason Jaggi) and asked staff to be sure and get that information from her.

Ms. Joanne Boulton, 6416 Cecil, noted that Washington University, with the 10% student population increase being requested at this time, would receive a 30% increase in student population since 1995. He stated that she feels that complete information has not been provided and that the bed count continues to creep up.

Chairman Sanger asked if the number of beds can be conditioned in the Conditional Use Permit.

Jason Jaggi replied "yes".

Mr. David Davis, 40 Broadview, indicated that he is confused what the Conditional Use Permit is for. He asked if it includes allowing 3,300 students/beds.

Chairman Sanger replied “yes”.

Mr. Davis commented that Washington University has made innovative changes to their parking plan, that they seem to be taking care of their own and that they know their situation better than the City does.

Marc Lopata stated that he was not a resident in 1995, but if Washington University stated that 3,000 students was good then, why it isn’t now.

Mr. Ackerman indicated that enrollment has crept up.

Marc Lopata asked if people are really drawn to Washington University because of their high quality housing or because of the high quality education.

Mr. Ackerman replied “both”.

Eric Lederman, 6453 Cecil and President of his Neighborhood Association, indicated that they know the bed count fluctuates and that there have been few student parkers, which he believes will not change.

Marc Lopata asked if the properties owned by Washington University were included in the 65 notices sent out by staff.

Jason Jaggi replied “yes”. He noted that subdivision trustees also received notification as well as, he believes, most of Skinker Heights. He noted the recipients of the agendas via e-mail (Clayton’s e-communication).

John Sullivan, 87 Aberdeen, commented that Washington University has made no case for the setback variance.

Chairman Sanger commented that Washington University has shown the City that parking on the South 40 has gone down and is still trying to decrease that number due to their good parking programs and that he has no objection to increasing the bed count to 3,300 without construction of additional parking at this time, so he would like to set aside the requirement for the garage for 1 year after they reach that 3,300 student capacity after which, Washington University pays for a parking study prepared by a consultant selected by the City and, if it is determined that there is not enough parking at that time, Washington University be required to build the parking deck. He asked that the minutes reflect Washington University’s commitment to the 3,300 student population based on the University’s approved Master Plan. He asked if a motion based on this suggestion can be made.

Jason Jaggi indicated that he believes so, since the garage is being offered as a separate issue as a solution to help bring the parking number closer to the number of parking spaces required by Ordinance.

Marc Lopata asked to re-visit the comment Mr. Currier made earlier about site coverage.

Jason Jaggi stated that 1/3 of the site (South 40) can be occupied by buildings.

Michael Roth, 7648 Walinca Terrace, voiced his concern with the future plans of Washington University and the setback issues. He stated that allowing a setback variance has a great impact on the community.

Chairman Sanger asked if there were any comments regarding his earlier suggestion.

Marc Lopata indicated that personally, he is not in favor of the garage. He added that Washington University continues to purchase properties and that he has not seen anything compelling to allow the requested 10% student population increase.

Ron Reim indicated that he, too, is opposed to the parking garage which would avoid the setback issue. He stated that Chairman Sanger's suggestion is fine with him.

Jim Liberman questioned if the City's parking ratio needs to be revised.

Chairman Sanger replied "no". He made a motion to recommend approval of the Conditional Use Permit to the Board of Aldermen as follows: approve the 3,300 student population and set aside parking for 1 year after Washington University reaches the 3,300 occupancy.

Jason Jaggi, at the recommendation of the City Attorney, suggested the motion be revised as follows: To allow the 3,300 student population and temporarily allow a reduction in parking from 1,013 (the number achieved by the construction of the parking deck) to the 905 parking spaces as currently available on the South 40 pending results of a new parking study to be conducted one (1) year after the South 40 population of 3,300 is reached; this new parking study, which is to be presented to the City's Plan Commission for review and recommendation to the Board of Aldermen to consider a permanent parking waiver to allow the South 40 campus to contain the current number of 905 spaces, is to be prepared by a consultant selected by the City and paid for by Washington University. The motion was seconded by Marc Lopata and unanimously approved by the members.

Note: Marc Lopata left the meeting (6:45 p.m.).

AMENDMENT TO PREVIOUSLY APPROVED BOUNDARY ADJUSTMENT PLAT – 7630 FORSYTH BLVD. (FORMER SHADY OAK THEATER SITE)

Mr. Jeffery Gershman, attorney representing TNG, LP, was in attendance at the meeting.

Jason Jaggi explained that on September 21, 2009, the Plan Commission approved a site plan for a new surface parking lot to be constructed on the site of former Shady Oak Theater. This parking lot was proposed to support the lack of convenient parking for the commercial building to the west at 7636 Forsyth. At the time, the Plan Commission approved the site plan with the following conditions:

1. That a boundary adjustment plat be approved by the Plan Commission adding five (5) feet of width to the subject lot (Lot 3) prior to building permit issuance.
2. That an easement agreement be approved by the City for public use of the sidewalk area fronting Forsyth Boulevard.
3. That the applicant coordinate with the Public Works Department regarding installation of the City's Streetscape.

At its April 5, 2010 meeting, the Plan Commission approved a boundary adjustment plat which met the conditions of Item #1 above. At that meeting, the City Attorney and the applicant's attorney asked for clarification of the Plan Commission regarding the duration of the required easement (pertaining to condition #2 above). The members were polled on this issue and the majority felt that the easement was to be permanent. Since the Plan Commission clarified that the required sidewalk easement was to be permanent staff has had further dialogue with the site plan applicant and his attorney. Ultimately, staff understands the applicant's perspective as to the interim nature of the proposed use of the property, and we are in general agreement with suggestions by the applicant's counsel as to the lack of necessity for conveyance of an easement to the city. Staff is now of the view that our concern that the public have long-term access to an adequate pedestrian passageway does not require any conveyance from the applicant to the city. We are therefore recommending that the conditions of approval be amended to delete the requirement for a sidewalk easement to the city. Staff believes that the public sidewalk space will function properly as originally intended without the applicant providing an easement to the City. The requirement for the applicant to install the city standard streetscape at applicant's cost is not intended to be changed by this recommendation. Jason indicated that staff's recommendation is to approve a revision to the previously approved site plan so as to eliminate the condition that an easement agreement be approved by the City for public use of the sidewalk area fronting Forsyth Blvd.

Mr. Gershman commented that he appreciates the City's willingness to consider this request.

Being no further questions or comments, Jim Liberman made a motion to approve the amendment so as to eliminate the condition that an easement agreement be approved by the City for public use of the sidewalk area fronting Forsyth Blvd. The motion was seconded by Ron Reim and unanimously approved by the members.

ARCHITECTURAL REVIEW – ROOFTOP ANTENNA INSTALLATION – 7733 FORSYTH BLVD.

Mr. Hans Mugler, Selective Solutions, was in attendance at the meeting.

Jason Jaggi explained that the applicant is proposing to add two antennas and one cabinet to the rooftop of the existing 304 feet tall office building as follows: two round antennas are proposed to be mounted to the north and northeast penthouse walls. One of the round antennas is approximately 1' in diameter, and the other is approximately 2.5' in diameter. Proposed antennas will be visible approximately 6 feet above the top of the parapet. The antenna on the north penthouse wall will be set back approximately 20' from the parapet, and the antenna on the northeast wall will be set back approximately 30' from the parapet. The proposed equipment cabinet will not be visible from the exterior of the building. Jason noted that several existing antennas are mounted to the penthouse wall in the area of the proposed antennas and are visible above the parapet of the building at the subject property. These additional antennas will match the installation of the existing antennas and staff recommends approval with the following conditions:

- 1) That the proposed antennas be painted to match the exterior color of the existing building at the subject property.
- 2) That existing antennas on the rooftop of the building at the subject property be protected during construction.

Mr. Mugler indicated that these are round dishes 1-foot and 2 1/2 –foot in diameter.

Being no questions or comments, Jim Liberman made a motion to approve as submitted per staff recommendations. The motion was seconded by Ron Reim and unanimously approved by the Board.

A brief discussion regarding the situation at 8137-41 Maryland Avenue (future home of Simon's Jewelers) took place. Jason explained that due to a structural issue, much of the structure had to be demolished and that another parking variance request will be presented to the City's Board of Adjustment before construction can continue.

Chairman Sanger asked about Edwin Pepper's fence.

Jason Jaggi indicated that he would have an inspector check it.

Craig Owens advised the remaining members that interviews for the Planning Director have taken place and they hope to have a decision soon.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 7:00 p.m.

Recording Secretary